

Application No.: 10/688,633
Amendment Dated: March 20, 2008
Reply to Office Action Mailed October 30, 2007

REMARKS/ARGUMENTS

Claims 1 through 19 are pending in the instant application. The applicants have amended claims 1, 6 and 13, support for which may be found within claims 8, 9, 16 and 18, as originally filed, and elsewhere throughout applicants' specification. Claims 8, 9, 16 and 18 have been cancelled without prejudice or disclaimer of subject matter. New claims 20 and 21 have been added support for which may be found to at claim 3, as originally filed, and elsewhere throughout applicants' specification. The applicants have amended their specification at several places, support for which may be found within applicants' Figures, as originally filed, and elsewhere within the instant specification. It is respectfully submitted that no new matter has been introduced.

The Examiner has objected to applicants' set of drawings on the basis that they fail to comply with 37 CFR 1.84(p)(5). The Examiner has objected to pages 15 and 16 of applicants' specification. The Examiner has rejected claims 1 through 8 and 10 through 17, and 19 under 35 U.S.C. 102(b) as being anticipated by Lebda et al., U.S. Patent No. 6,385,594. The Examiner has rejected claims 9 and 18 under 35 U.S.C. 103(a) as being unpatentable over Lebda et al., U.S. Patent No. 6,385,594, in view of Anderson et al., U.S. Patent No. 6,571,246. The objection to applicants' drawings and specification is respectfully traversed. The rejection of applicants' claims, as amended, is respectfully traversed. Reconsideration and favorable action is respectfully solicited in view of the following comments.

The Examiner has objected to applicants' set of informal drawings on the basis that they fail to comply with 37 CFR 1.84(p)(5). The Examiner is of the view that:

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The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 160 in Figure 1, 180 in Figure 1, 190 in Figure 1, 230 in Figure 2, 260 in Figure 2, 270 in Figure 2, 280 in Figure 2, 210 in Figure 2, 320 in Figure 2, 350 in Figure 2, 360 in Figure 2, 740 in Figure 7, 815 in Figure 8, 830 in Figure 8, 835 in Figure 8, 840 in Figure 8, and 880 in Figure 8. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application.

In response thereto, the applicants have amended their specification to add the reference characters identified by the Examiner. Support for these amendments may be found within applicants' Figures, as originally filed and elsewhere within the instant specification. It is respectfully submitted that no new matter has been introduced. In view thereof, it is respectfully requested that the grounds for objection to the drawings, be removed.

The Examiner has objected to pages 15 and 16 of applicants' specification. The Examiner is of the view that:

The spacing of the lines of the specification is such as to make reading difficult. New application papers with lines 1 1/2 or double spaced on good quality paper are required. Pages 15 and 16 of the specification are not double-spaced and should be resubmitted in such format as described above.

In response thereto, the applicants have submitted substitute pages to replace pages 15 and 16, addressing the issue raised by the Examiner. Should the Examiner find that the replacement pages are still insufficient; the Examiner is respectfully requested to identify the deficiencies so that they may be specifically addressed. In view thereof, it is respectfully requested that the grounds for objection to pages 15 and 16 of applicants' specification, be removed.

The Examiner has rejected claims 1 through 8 and 10 through 17, and 19 under 35 U.S.C. 102(b) as being anticipated by Lebda et al., U.S. Patent No. 6,385,594. The Examiner is of the view that:

[As to] Claim 1: Lebda discloses a system for coordinating tasks comprising:
a. at least one mission coordinator (loan processing computer) (column 3, lines 30-32);
b. at least one service node in communication with mission coordinator (column 3, lines 33-34); and
c. mission coordinator executes missions by creating a mission instance comprising a task instance in which the task instance includes at least one task step to be executed by the service node (Figure 1). ...

Claim 6: Lebda discloses a system for coordinating tasks comprising:
a. at least one mission coordinator (loan processing computer) (column 3, lines 30-32);
b. at least one service node in communication with mission coordinator (column 3, lines 33-34); and
c. missions comprise a plurality of tasks generated by the mission coordinator and each task is defined by a task instance and communicated to the service node for execution (column 5, lines 25-33).

Claim 13: Lebda discloses a method for coordinating tasks in a networked computing environment comprising the steps of:

a. selecting a mission (column 2, lines 1-6);
b. creating a mission instance comprising at least one task (Figure 1);
c. generating at least one task instance associated with at least one task (column 5, lines 25-33);
d. transmitting task instance to a service node (column 5, lines 43-46);
e. executing task instance on the service node (column 5, lines 49-59);
f. receiving the results of the execution of the task instance (column 5, lines 59-67); and
g. applying rules-based analysis to determine whether and when additional task instances should be created based on the results (column 5, lines 5-10). ...

Lebda et al., U.S. Patent No. 6,385,594, proposes a method and a computer for coordinating an electronic credit qualification form between an Internet user and a plurality of lending institutions via the Internet. The method involves displaying documents in a web site, and receiving credit data placed on the web site. After

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receiving this data a special loan processing computer applies a filter to the data. The filter comprises loan selection criteria provided by lending institutions which allows these institutions to filter out loan applications that they do not want. Next, after the data is filtered, it is transmitted to a plurality of lending institutions. Finally, the computer and the method then controls and coordinates communication between these lending institutions and the Internet user to match borrowers and lenders via the Internet.

Contrary to the disclosure of Lebda et al., applicants claim, in independent claim 1, a mission collaboration system for executing missions comprising: at least one mission coordinator and at least one service node in communication with said at least one mission coordinator; wherein said at least one mission coordinator executes missions by creating a mission instance, said mission instance comprising at least one task instance and wherein said at least one task instance comprises at least one task step which is executed through the use of executable software code by said at least one service node. [Emphasis added].

Likewise, applicants claim, in independent claim 6, a mission collaboration system for executing missions comprising: at least one mission coordinator; at least one service node in communication with said at least one mission coordinator; and wherein said missions comprise a plurality of tasks each generated by said at least one mission coordinator and wherein each task is defined by a task instance structure which is communicated to said at least one service node for execution, wherein said task instance structure includes a processing engine comprising executable software code which permits said tasks to be executed by said at least one service node. [Emphasis added].

In independent claim 13, applicants claim a methodology for completing missions in a networked computing environment comprising the steps of:

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selecting a mission; creating a mission instance, said mission instance comprising at least one task; generating at least one task instance associated with one of said at least one tasks; transmitting said at least one task instance to at least one service node; executing said at least task instance on said at least one service node; receiving the results of said execution of said at least one task instance; and applying a rules-based analysis to determine whether and when additional task instances should be created based upon said results, wherein each of said task instances is represented by a task instance structure and each of said task instances is executed on either a local or a remote service node, said task instance structures comprising executable code. [Emphasis added].

It is respectfully submitted that a careful review of Lebda et al., U.S. Patent No. 6,385,594 reveals that it is directed to a very different and limited process, in contrast with applicants' claimed invention. Lebda et al. discloses a data entry, data validation and data processing system for use over the Internet. It is not a system that provides collaboration foundations in a generic fashion for different applications, at the same time. Lebda's logic for its loan application is wired or hard-coded.

The applicants' claimed invention relates to a generic system and method to do any application that requires collaboration. For example, applicants invention can be utilized for such diverse applications as an internet based shopping application, immigration processing, employment screening and hiring processing, distributed software maintenance and updates, processing of governmental related missions such as driver's licenses, taxes and other related tasks. (See paragraph [0074]). While such an application can also be a loan processing application (see paragraphs [0063] – [0073]), the claimed invention of the applicants is a generic system and method to realize all the applications simultaneously without rebuilding the system for each application. In other words, only one system is required to do

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such varied applications as loan processing, immigration processing, etc., at the same time. Advantageously, there is no need to develop one system per application. In stark distinction with applicants' claimed invention, Lebda et al. relates solely to a loan-processing specific application rather than a generic system for collaboration, nor can it realize such applications without developing such other applications, since Lebda et al. disclose a specific, hard-coded loan application.

As stated in MPEP § 2131, in order to constitute anticipation under the law, a patent or publication must contain within its four corners a sufficient description to enable the person of ordinary skill to make the invention without undue experimentation. All material elements of a claim must be found in one prior art source, a mere suggestion is not enough and essential elements are not to be read into a reference. If a reference does not expressly recite or disclose applicants' claimed invention, as is the case here, then, it is required under principles of inherency that the claimed subject matter be inevitably produced when the teachings of the relied upon reference are followed, in order for a proper case of anticipation to be found.

The Examiner has correctly noted that the subject matter of applicants' claims 9 and 18 is not taught within the four corners of Lebda et al., U.S. Patent No. 6,385,594. While not agreeing with or acquiescing in the instant rejection, the applicants have amended claims 1, 6 and 13, to incorporate the subject matter of claims 9 and 18, in an attempt to render this rejection moot.

It is respectfully submitted that applicants' claimed invention is not fairly taught, and that following the teachings of Lebda et al. would not inevitably produce the invention, as claimed. In view thereof, it is respectfully requested that the grounds for rejection of claims 1 through 8 and 10 through 17, and 19 under 35

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U.S.C. 102(b) as being anticipated by Lebda et al., U.S. Patent No. 6,385,594, be removed.

The Examiner has rejected claims 9 and 18 under 35 U.S.C. 103(a) as being unpatentable over Lebda et al., U.S. Patent No. 6,385,594, in view of Anderson et al., U.S. Patent No. 6,571,246. . With regard to these grounds for rejection, the Examiner has taken the position that:

Claim 9: Lebda discloses a system as in Claim 8 above, but does not explicitly disclose that the processing engine comprises executable software code. However, Anderson discloses a similar system in which the processing engine does comprise executable software code (column 4, lines 49-57). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to have the processing engine include executable software code in Lebda. One would have been motivated to include executable software code so that the processing engine could execute instructions supplied by the task instances.

Claim 18: Lebda disclose a method as in Claim 16 above, but does not explicitly disclose that the task instance comprises executable code capable of being executed on a service node. However, Anderson discloses a similar method in which the task instance does include executable code capable of being executed on a service node (column 4, lines 49-57). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to have the task instances in Lebda comprise executable code. One would have been motivated to have the task instances comprise executable code so the service nodes could carry out the instructions that were asked of it by the task and supply them back to the task instance.

Lebda et al., U.S. Patent No. 6,385,594 proposes a method and a computer for coordinating an electronic credit qualification form between an Internet user and a plurality of lending institutions via the Internet. The method involves displaying documents in a web site, and receiving credit data placed on the web site. After receiving this data a special loan processing computer applies a filter to the data. The filter comprises loan selection criteria provided by lending institutions which allows these institutions to filter out loan applications that they do not want. Next,

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after the data is filtered, it is transmitted to a plurality of lending institutions. Finally, the computer and the method then controls and coordinates communication between these lending institutions and the Internet user to match borrowers and lenders via the Internet.

As noted above, Lebda et al., is directed to a very different and limited process, in contrast with applicants' claimed invention. Lebda et al. discloses a data entry, data validation and data processing system for use over the Internet. It is not a system that provides collaboration foundations in a generic fashion for different applications, at the same time. Lebda's logic for its loan application is wired or hard-coded. As applicants' have asserted hereinabove, the claimed invention relates to a generic system and method to do any application that requires collaboration. While such an application can also be a loan processing application, the claimed invention is a generic system and method to realize all the applications simultaneously without rebuilding the system for each application. In other words, only one system is required to do such varied applications as loan processing, immigration processing, etc., at the same time. Advantageously, there is no need to develop one system per application. Lebda et al. relates to a loan-processing specific application, rather than a generic system for collaboration, nor can it realize such applications without developing such other applications, since Lebda et al. disclose a specific, hard-coded loan application.

It may be seen from a careful review of Anderson et al., U.S. Patent No. 6,571,246, that Anderson et al. fails to remedy the above-noted deficiencies. Anderson et al. proposes a method and system for data collection and workflow management in a business process using the Internet includes: defining a plurality of steps of a business process on a network; and automatically implementing the plurality of steps, including sending a request for data, receiving the data with tags, where the tags comprise identifying information

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concerning the data, and storing the data based on the tags. The method and system include the ability to integrate a digital image capture device into the business process, where the web server creates an executable file which is downloadable into the digital image capture device. The executable file creates tags for the digital images captured by the digital image capture device. The web server uses these tags to match an image to corresponding stored data. In this manner, there is less chance of confusion or mistake, and the speed of performance is also increased.

Anderson et al. employs a digital image capture device 112 to execute an executable code and creates an executable file for downloading, the executable file being the same as an executable code. As may be appreciated by those skilled in the art, such an approach is typical; the executable file or code is downloaded from a network or the internet or email to a device to execute. In contrast, the applicants' invention takes a totally different approach. An executable file (code) is packed into a communication package (see Figure 5, element 500), which is the Processing Engine 550. Anderson et al. has no Task Instance Package and downloads an executable file or code from a designated location. In Anderson et al., the device that downloads the executable knows where it is downloading from. In the applicants' invention, the device receiving the Task Instance may not know where the Task Instance comes from and it does not have to know.

It may be that Anderson's statement, "[t]he executable file would include instructions concerning the subject matter of the images ..." is causing some confusion. An executable file must include that information; otherwise, it would not be an executable file. However, the key is that applicants' executable does not just include specific instructions, but it also is packed into the Task Instance package.

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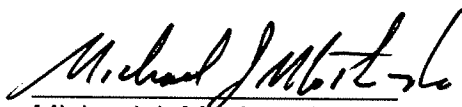
Applicants respectfully assert that a careful review of the relied upon references reveals that nowhere is applicants' claimed invention, fairly taught or suggested. In view thereof, it is respectfully requested that the grounds for rejection of claims 9 and 18 under 35 U.S.C. 103(a) as being unpatentable over Lebda et al., U.S. Patent No. 6,385,594, in view of Anderson et al., U.S. Patent No. 6,571,246, be withdrawn.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-2478(11642).

In view of the foregoing, it is respectfully submitted that the present claims be in condition for allowance. Prompt notification of allowance is respectfully solicited.

Respectfully submitted,

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Central Management Unit (CMU) 615

The Central Management Unit 615 manages and controls the operation of Mission Coordinator 105. All operations and logical control are managed by the CMU 615.

Coordinator Administrator (CA) 690

The Coordinator Administrator 690 is a program application which administrates and monitors the operations of Central Management Unit 615. The operations include abortion, deletion, and pausing of Mission Instances. CA 690 also monitors auditing information, service node information, and exception history.

Mission Instance Queue (MIQ) 680

The Mission Instance Queue 680 is the place where individual Mission Instances are managed and queued. MIQ 680 consists of an actual queue and an MI Queue Manager. The MI Queue Manager manages Mission Instance initiation in accordance with the defined queue policy for the system.

Task Instance Queue (TIQ) 670

The Task Instance Queue 670 is the place where Task Instances are managed and queued. TIQ 670 consists of the actual queue plus a TI Queue Manager. The TI Queue Manager manages Task Instance initiation in accordance with the defined queue policy for the system.

Transfer Agent 625

The Transfer Agent 625 provides communication between Mission Coordinator 105 and Mission Administrator 120 and Service Nodes 695. Transfer Agent 625 receives

messages, converts them into internal objects, and then passes these objects to Central Management Unit 615 for processing. Transfer Agent 625 is also responsible for retrieving an object from the Central Management Unit 615, converting the object into a message, and sending the message out.

Reasoning Engine (RE) 640

The Reasoning Engine 640 reasons the relationships between causal tasks and resultant tasks based on a trigger rule of a Mission. Reasoning Engine 640 accepts a.

Task Instance from the Central Management Unit 615, and performs the reasoning. Reasoning Engine may be called upon to perform complex reasoning in executing a Mission since, among other things, the fulfillment of a Task may need require multiple Task Instances to be executed.

Mission Manager 650

The Mission Manager 650 manages operations related to Missions and to Mission Instances, such as the creation of MIs, deletion of MIs, abortion of MIs, pausing of MIs, etc.

TI Manager 660

The TI Manager 660 creates Task Instances and clones Task Instances as necessary. It is also responsible for commanding TI Queue 670 to perform TI related operations such as TI removal, TI insert, TI delete, etc.

Audit Manager 610

The Audit Manager 610 stores and manages information concerning queries made regarding the capabilities of the Coordinator 105, and all other Coordinator access information such as information concerning who, where, when, what, etc.

Service Node Manager 620

The Service Node Manager 620 maintains information concerning local service nodes 110 including storing and managing information such as a Service Node Identification List, etc.

Exception Handler 630

The Exception Handler 630 deals with abnormal situations during mission coordination including hardware problems, network problems, service node connectivity problems etc.

[0055] Now that the major components of Mission Coordinator 105 and their functions have been described, a discussion regarding the actual